

The Honorable S. Kate Vaughan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CAROL STEPIEN,  
Plaintiff,  
v.  
GINA RAIMONDO, Secretary of the U.S.  
Department of Commerce,  
Defendant.

Case No. C21-1166-SKV

## JOINT STIPULATION

Noted for Consideration:  
October 14, 2021

GINA RAIMONDO, Secretary of the U.S.  
Department of Commerce,

**Defendant.**

The parties, through their counsel of record, jointly stipulate and respectfully move this Court for an Order as follows:

1. Plaintiff initially filed her Complaint in this action under the Freedom of Information Act, 5 U.S.C § 552 (“FOIA”) on August 27, 2021. *See* Dkt. 1
  2. On October 1, 2021, Plaintiff filed a First Amended Complaint in this action. *See* Dkt. 3; *see also* Fed. R. Civ. P. 15(a).
  3. At this time, Plaintiff intends to file a Second Amended Complaint that does not name any individual person as a Defendant in this FOIA action. *See generally Drake v. Obama*, 664 F.3d 774, 785 (9th Cir. 2011).
  4. For the purpose of working towards an efficient resolution, and without waiver of any

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1 defense or argument, and without stipulating that Plaintiff has or may otherwise set forth a valid  
2 FOIA claim against any Defendant or potential Defendant, the parties jointly stipulate that  
3 Plaintiff may file a Second Amended Complaint in this Action.

4 5. The parties therefore jointly request that this Court issue an order allowing Plaintiff to file  
5 a Second Amended Complaint and direct the government to file its responsive pleading with 14  
6 days of Plaintiff filing her Second Amended Complaint.

7  
8 IT IS SO STIPULATED, THROUGH PARTIES OF RECORD.

9  
10 DATED this 14th day of October, 2021.

11 NICHOLAS W. BROWN  
12 United States Attorney

13 *s/Katie D. Fairchild*  
14 KATIE D. FAIRCHILD, WSBA #47712  
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28 *Attorney for Plaintiff*

## ORDER

## **IT IS SO ORDERED.**

Dated this 15th day of October, 2021.

Skate Vaughan

S. KATE VAUGHAN  
United States Magistrate Judge